

SUPERIOR COURT
OF THE
STATE OF DELAWARE

CHARLES H. TOLIVER, IV
Judge

NEW CASTLE COUNTY COURTHOUSE
500 NORTH KING STREET, SUITE 10400
WILMINGTON, DELAWARE 19801-3733
TELEPHONE (302) 255-0657

May 16, 2003

Loren C. Meyers
Deputy Attorney General
Department of Justice
Carvel State Office Building
820 North French Street
Wilmington, DE 19801

Bernard J. O'Donnell
Assistant Public Defender
Office of the Public Defender
Carvel State Office Building
820 North French Street
Wilmington, DE 19801

RE: Hamilton v. State of Delaware, 576, 2002
(Cr. A. Nos. IN76-08-0906 & 0907
ID No. 84004102DI)

Dear Counsel:

As you are aware, the Delaware Supreme Court, on January 28, 2003 and February 24, 2003, remanded this matter to this Court for further proceedings consistent thereto. Given the position taken by the State of Delaware in its correspondence in response to the remand, as well as the Court's review of the record, the Court has reconsidered its September 23, 2002 decision.

More specifically, it appears for the record and for position argument of the parties that the sentences imposed by Judge Martin on October 13, 1988 in IN76-08-0906 and IN76-08-0907, were to run concurrently. Moreover, the effective date of the sentence that must be used by the Department of Corrections is January 24, 1977. That is the effective date Judge Martin specifically directed that his sentences begin to run. Exactly why he chose that date is not known

Exhibit - A

Page Two

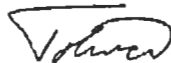
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at this time, but it is a certainty. Any action by the Department of Correction using a different date or dates is incorrect and illegal for purposes of Superior Court Criminal Rule 35.

By copy of this letter, I am directing the Department of Correction to recalculate the defendant's release date in conformance with the foregoing. They should do so immediately, but in any event, no later than May 25, 2003. If there are any questions and/or concerns, as a result, please so inform me immediately. Otherwise, I will assume that the matter has been resolved. No action will be taken on the defendant's petition for a writ of habeas corpus filed on April 4, 2003 (C.A. No. 03M-04-030), pending the aforementioned recalculation.

IT IS SO ORDERED.



Toliver, Judge

CHT,IV/lđ

oc: Prothonotary

cc: Jerome K. Hamilton

Rebecca McBride, DCC Records

Supreme Court of Delaware

Exhibit - A



M. JANE BRADY
ATTORNEY GENERAL

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

NEW CASTLE COUNTY
Carvel State Building
820 N. French Street
Wilmington, DE 19801
Criminal Division (302) 577-8500
Fax: (302) 577-2496
Civil Division (302) 577-8400
Fax: (302) 577-6630

KENT COUNTY
Sykes Building
45 The Green
Dover, DE 19901
Criminal Division (302) 739-4211
Fax: (302) 739-6727
Civil Division (302) 739-7641
Fax: (302) 739-7652

SUSSEX COUNTY
114 E. Market Street
Georgetown, DE 19947
(302) 856-5352
Fax: (302) 856-5369

PLEASE REPLY TO:

March 31, 2000

Civil Division - New Castle County

Jerome K. Hamilton
S.B.I. No. 088348
Delaware Correctional Center
MSU Unit
P.O. Box 500
Smyrna, DE 19977

RE: March 20, 2000 correspondence

Dear Mr. Hamilton:

Thank you for your March 20th letter. However, I believe that your efforts to recover copies of the applicable sentencing orders are misdirected.

Neither Ms. Guessford nor Ms. McBride has the power or authority to modify an Order of the Court. By way of seeking clarification or verification, it is possible that the Court, upon reflection, modified or clarified the sentence so as to have it conform to existing sentencing guidelines. Ms. Guessford's and/or Ms. McBride's role in this process may be to what you are referring when you allege that they "administratively" changed your sentence.

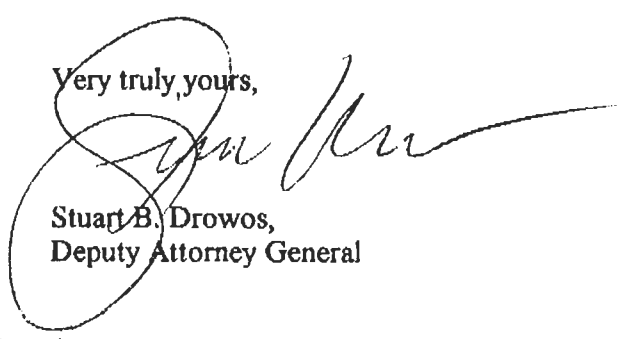
Since the Court's order is a matter of public record, I suggest you seek copies of the relevant orders directly from the Prothonotary's Office. If you are actually seeking a modification of your sentence, then it is best to start that process with the Prothonotary's Office as well.

In any event, I wish to note my confidence in the abilities of both Ms. Guessford and Ms. McBride to properly calculate and administer the sentence orders as issued by the Court. If you believe this is incorrect, you are free to use whatever resources may be available to you to seek resolution of your dispute.

Exhibit- "B"

Thank you again for your March 20th response.

Very truly yours,



Stuart B. Drowos,
Deputy Attorney General

SBD/kd

cc: Carl Danberg, Esq., Deputy Principal Assistant
Cathy Guessford
Rebecca McBride

Exhibit- "B"



REDACTED

P. D. LIFRAK, M.D.

1701 SHALLCROSS AVE., STE. A
WILMINGTON, DE 19808
TELEPHONE: (302) 654-7317
FAX: (302) 654-9042

AUTHORIZATION

FOR RELEASE OF MEDICAL RECORDS AND INFORMATION

I here by authorize Dr. Patricia Lifrak, MD
(Specify Organization, Program, Person)

287 Christiana Rd. Suite 8, New Castle, DE 19720

To release information, access to, or photocopies of medical records of:

Cheikh E. Elohim
(Patients Name)

6/21
(Date of Birth)

To: Honorable Judge Gregory M. Sleet
(Specify Organization, Program, Person)

The foregoing is subject to limitation listed below:

1. Nature of information to be released. Specify: Dx & Tx Records
2. The purpose or need for this information is, and will be used for: court hearing
3. This authorization is confined to the treatment episode beginning on: 3/24/04
4. This consent will expire on _____ or sixty (60) days after the discharge date. I understand that I may revoke this authorization any time except to the extent that information has been released based upon this content.

I hereby release the releasing facility's personnel from all legal responsibility and / or liability that may arise from the release of such information as specified above.

Disclosure of specific information authorized for release is limited to the above-mentioned recipient only. Federal regulations 42 CFR Part 2, prohibit the redisclosure of the enclosed information, unless the consent expressly permits further disclosure is otherwise permitted under regulations.

* Witness: Luetta LeBeau

Date: 6/23/05

* Patient: Cheikh E. Elohim

Date: June 23, 2005

Parent or Legal Guardian: _____
(If person is a minor)

Date: _____

MEDICATION VISIT NOTE

PATIENT'S NAME: Chiekh Elstom AGE: _____
DATE OF APPOINTMENT: 3/27/04
EXAMINED BY: Patricia D. Litvak MD MBA

1. PRESENT SYMPTOMS/BRIEF MSE:

Pt states he is "surviving". Denies agitated
depression or SI. Sleep is interrupted
by nightmares.

2. PROGRESS SINCE LAST VISIT:

Still has sleep difficulty

3. CURRENT MEDICATION(S): Trazodone 50mg HS
Prozac CR 25mg I AM

4. SIDE EFFECTS:

Denies

5. CURRENT DIAGNOSIS: Depressive Dis NOS

6. PLAN: ↑ Trazodone to 50mg 1/2 @ HS

7. RX GIVEN: X 30 days 2 refills

8. DATE OF NEXT VISIT: In 8-10 weeks

PLC

(It had been seeing me at West Side).

MEDICATION VISIT NO.

PATIENT'S NAME: Chaikh Ebrahim AGE: _____

DATE OF APPOINTMENT: 01/26/05

EXAMINED BY: Patricia D. Irfak MD MBA

1. PRESENT SYMPTOMS/BRIEF MSE:

Pt states he still has feelings for
being mugged in 1992. Was recently in a

2. PROGRESS SINCE LAST VISIT: MVA. C/o difficulty sleep
with symptoms. Desires SI/HT or significant
depression

3. CURRENT MEDICATION(S): Trazodone 50 mg 1/2 2/1/5
Paxil CR 25 mg 1/2 2/1/5

4. SIDE EFFECTS:

Denies

5. CURRENT DIAGNOSIS: Depressive P.S.N.O.S.

6. PLAN: Discontinue Trazodone - Start Sertraline 25 mg 1/2 2/1/5

7. RX GIVEN: X 30 days 2 refills

8. DATE OF NEXT VISIT: 2-8-10 week

Medication Visit Note

Patient's Name Cherjen Elovim
Date of Appointment 6/2/05

Age _____
Weight _____

Examined by: Patricia D. Lifrak, M.D., M.B.A.

1) Present symptoms/brief MSE:

Pt still having flomax, ingitors. still on
↓ not on the ART. Serquel helped w/ sleep.

2) Progress since last visit:

ce last visit:

Des ST/HT plans. Run out
of bail 1 week ago.
no difficulty working

3) Current medication(s): Serenquel 25 \rightarrow ~~1~~ 2 QHS \rightarrow only 1 QHS.
Paxil 20 \rightarrow QAM

4) Side effects:

Dein while on road.

5) Current Diagnosis (Axis I) Depressive D NOS.
PTSD.

6) Plan: Conservative Tx - ↑ surgical to 25% distal
Refined to OP therapy

7) Rx given: $\times 30$ days 1 ref

8) Date of next visit: 4-6 weeks

Patricia D. Litrak, M.D., M.B.A.

6/2/75.
Date

Exhibit- "C"

1021 Gilpin Ave. Suite 104
Wilmington, DE 19806
Tel # : (302) 421-8282
Fax # : (302) 428-0851



1601 Milltown Rd. Lyndell Sq. #5
Wilmington, DE 19808
Tel # : (302) 636-9490
Fax # : (302) 636-9492

Sick Leave Form

Date

6/24/05

To

when it may return

This is to certify that Miss / Mr.

Charles Elorhien

was diagnosed for

chronic low back pain

in our office.

He / she was advised to rest at home and be absent from school /

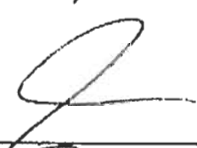
work on

He / she may return to school / work on

Comments :

pt. is currently taking percocet 7.5/3.5
1 tab 3x a day as needed for pain. The med.
may make him clumsy with episodes of dizziness
occasionally

Exhibit- "D"

- 
☐ Domingo C. Singson, M.D.
☐ Remedios Abad, M.D.
☒ Jose M. Castro, M.D.
☐ Marcia Gina Castro, M.D.

- Certificate Of Service -

State Of Delaware
New Castle County

)
) SS:
)

BE IT REMEMBER, that Plaintiff Jerome K. Hamilton/Pro-Se, being first duly sworn according to law and the penalty of perjury on the this 25, day of June 2005, placed in the U.S. Mail. Two true and correct copies of the attached: Letter for Amend the Complaint along with medical records information from plaintiff filed. And this document will be sent to the following below person's:

1. Peter T. Dalleo, Clerk:
Clerk of the Court
United States District Court
844 King Street/Lockbox 18
J. Caleb Roggs Federal Building
Wilmington, Delaware. 19801
2. Eileen Kelly/I.D.#2884
Deputy Attorney General
Carvel State Office Building
820 North French Street, 6th, Floor.
Wilmington, Delaware. 19801
3. Plaintiff/Jerome K. Hamilton/Pro Se
a.k.a./Cheikh A. Elohim
320 East Fifth Street/Apt.#609
Wilmington, Delaware. 19801

RESPECTFULLY SUBMITTED
Jerome K. Hamilton / Cheikh Elohim
PLAINTIFF/JEROME K. HAMILTON
a.k.a./CHEIKH A. ELOHIM
Pro Se: